

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TANIYAH BOYD and
SAMIYAH BOYD, Minors.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

REGINA DIANE BOYD,

Respondent-Appellant.

UNPUBLISHED

November 10, 2009

No. 291485

Oakland Circuit Court

Family Division

LC No. 09-754446-NA

Before: Stephens, P.J., and Cavanagh and Owens, JJ.

MEMORANDUM.

Respondent appeals as of right from a circuit court order terminating her parental rights to the minor children pursuant to MCL 712A.19b(3)(g), (i), and (j). We affirm.

Respondent argues that the trial court erred in finding that §§ 19b(3)(g) and (j) were both established by clear and convincing evidence. However, a trial court need only find “clear and convincing evidence of one statutory ground to support its termination order,” *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000), and respondent does not challenge the trial court’s determination regarding § 19b(3)(i). Where a respondent does not challenge the trial court’s determination regarding one or more of several statutory grounds, this Court may assume that the trial court did not clearly err in finding that the unchallenged ground was proven by clear and convincing evidence. See *In re JS & SM*, 231 Mich App 92, 98-99; 585 NW2d 326 (1998), overruled in part on other grounds by *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). Further, a respondent’s failure to address an issue that must necessarily be reached to reverse the trial court precludes appellate relief. *City of Riverview v Sibley Limestone*, 270 Mich App 627, 638; 716 NW2d 615 (2006). Thus, respondents’ failure to address the trial court’s decision with respect to § 19b(3)(i) precludes relief with respect to the existence of a statutory ground for termination.

Further, considering the multiple prior terminations of parental rights to the children’s siblings, the evidence that respondent’s substance abuse problem had not yet been resolved, and that the children were removed from respondent’s custody shortly after birth, the trial court did not clearly err in finding that termination of respondent’s parental rights was in the children’s best interests. MCL 712A.19b(5); *In re Trejo*, *supra* at 356-357.

Affirmed.

/s/ Cynthia Diane Stephens

/s/ Mark J. Cavanagh

/s/ Donald S. Owens